



DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2716-050]

Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Allegheny Generating Company, and Bath County Energy, LLC; Notice of Intent to File License Application, Filing of Pre-Application Document (PAD), Commencement of Pre-Filing Process, And Scoping, Request for Comments on the PAD and Scoping Document, and Identification of Issues and Associated Study Requests

- a. Type of Filing: Notice of Intent to File License Application for a New License and Commencing Pre-filing Process
- b. Project No.: 2716-050
- c. Dated Filed: October 19, 2021
- d. Submitted By: Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Allegheny Generating Company, and Bath County Energy, LLC (Dominion).
- e. Name of Project: Bath County Pumped Storage Project (Bath County Project)
- f. Location: The project is located on Back Creek and Little Back Creek in Bath, Highland, Augusta, and Rockbridge counties, Virginia. The current project boundary encompasses 3,436 acres of land, including 712 acres of federal land in George Washington National Forest administered by the U.S. Forest Service.
- g. Filed Pursuant to: 18 CFR part 5 of the Commission's Regulations

h. Potential Applicant Contact: Mr. Corwin D. Chamberlain, Relicensing Project Manager, Dominion Energy, 600 Canal Place, Richmond, VA 23219-3852; (804) 273-2948; corwin.d.chamberlain@dominionenergy.com.

i. FERC Contact: Andy Bernick at (202) 502-8660 or e-mail at andrew.bernick@ferc.gov.

Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

j. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402, section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 CFR 600.920 and (b) the State Historic Preservation Office, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

- k. With this notice, we are designating Dominion as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act.
- l. Dominion filed with the Commission a Pre-Application Document (PAD, including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.
- m. In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to view and/or print the contents via the Internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.
- Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.
- n. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for

cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number **P-2716-050**.

All filings with the Commission must bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by **February 16, 2022**.

- p. The Commission's scoping process will help determine the required level of analysis and satisfy the National Environmental Policy Act (NEPA) scoping requirements, irrespective of whether the Commission prepares an environmental assessment or environmental impact statement.

Scoping Meetings

Due to on-going concerns with large gatherings related to COVID-19, we do not intend to hold in-person public scoping meetings or an in-person environmental site review. Rather, Commission staff will hold virtual public scoping meetings using a telephone conference line. The daytime scoping meeting will focus on resource agency, Indian tribes, and non-governmental organization (NGO) concerns, while the evening scoping meeting will focus on receiving input from the public. We invite all interested agencies, Native American tribes, NGOs, and individuals to attend one of these meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA document.

The dates and times of these meetings are as follows:

Virtual Environmental Site Reviews for all stakeholders Wednesday, January 12, 2022 10 a.m. EST and 6 p.m. EST WebEx meeting details provided by Kleinschmidt Associates on behalf of Dominion
Meeting for resource agencies, Tribes, and NGOs

<p>Thursday, January 13, 2022</p> <p>10 a.m. - 12 p.m. EST</p> <p>Call in number: 888-604-9359</p> <p>Participant passcode: 8998724</p>
<p>Meeting for the general public</p> <p>Thursday, January 13, 2022</p> <p>6:30 p.m. – 8:30 p.m. EST</p> <p>Call in number: 888-604-9359</p> <p>Participant passcode: 8998724</p>

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission’s mailing list and Dominion’s distribution list. Copies of SD1 may be viewed on the web at <http://www.ferc.gov>, using the “eLibrary” link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Reviews

Dominion and Commission staff will hold two virtual Environmental Site Reviews of the Bath County Project on January 12, 2022, starting at 10 a.m. eastern standard time (EST) and 6 p.m. EST, respectively. Please contact Alison Jakupca of Kleinschmidt Associates at (803) 462-5628 or

Alison.Jakupca@Kleinschmidtgroup.com, by January 5, 2022, if you plan to attend. WebEx meeting details will be provided by Kleinschmidt Associates once attendance is confirmed.

Meeting Objectives

At the scoping meetings, staff will: (1) initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document. Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n of this document.

Meeting Procedures

The daytime and evening scoping meetings will be recorded by a stenographer and will be placed in the public record of the project; the virtual Environmental Site Reviews will not be recorded by a court reporter and public comments will not be accepted during that time. Please note, that if no participants join the meetings within 30 minutes after the start time, staff will end the meeting and conference call. The meetings will end after participants have presented their oral comments or at the specified end time, whichever occurs first.

Dated: December 13, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

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